

U.S. Department of Justice
United States Marshals Service**PROCESS RECEIPT AND RETURN**See Instructions for "Service of Process by the U.S. Marshal"
on the reverse of this form.

PLAINTIFF <i>Elvans Galli</i>	COURT CASE NUMBER <i>04CV11544JLT</i>
DEFENDANT <i>Louis Pasquale + F/V Barbara Ann</i>	TYPE OF PROCESS <i>285 Rem</i>
SERVE ➡	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN <i>F/V Barbara Ann</i>
AT	ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) <i>Gloucester Marine Railway, Inc.</i>

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:

David S. Smith
Cincinnati & Ouellette
163 Cabot St
Beverly, MA 01915

Number of process to be served with this Form - 285	<i>1</i>
Number of parties to be served in this case	<i>1</i>
Check for service on U.S.A.	<i>2005 JUN 28</i>

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Home Addresses, All Telephone Numbers, and Estimated Times Available For Service):

Please issue a Bill of Sale for the F/V Barbara Ann to Elvans Galli and order Gloucester Marine Railway to release the vessel.

Signature of Attorney or other Originator requesting service on behalf of:

[Signature]
☒ PLAINTIFF
☐ DEFENDANT

TELEPHONE NUMBER

978-922-9933

DATE

*6/23/05***SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE**

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process <i>1</i>	District of Origin No. <i>38</i>	District to Serve No. <i>38</i>	Signature of Authorized USMS Deputy or Clerk <i>Henry Delaware</i>	Date <i>6/23/05</i>
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I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)

Address (complete only if different than shown above)

☐ A person of suitable age and discretion then residing in the defendant's usual place of abode.

Date of Service	Time	am
		pm

Signature of U.S. Marshal or Deputy

Service Fee <i>20.00</i>	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges <i>20.00</i>	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund
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REMARKS: *Bill of Sale for F/V Barbara Ann 6/28/05 - A*

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

ELVANO GALLI)	
Plaintiff,)	
)	
v.)	C.A. No. 04CV11544JLT
)	
F/V BARBARA ANN (O.N. 699442))	
her engines, boilers, tackle,)	
fishing permits and appurtenances,)	
<i>in rem</i>)	
)	
and Louis Pasquale, <i>in personam</i> ,)	
Defendant.)	

ORDER CONFIRMING SALE OF VESSEL

On or about February 17, 2005, Plaintiff, Elvano Galli filed a motion for interlocutory sale of the F/V BARBARA ANN (O.N. 699442). On March 24, 2005, the Court ordered the vessel sold. Pursuant to the Order of Sale, on April 22, 2005, the United States Marshal held an auction in Gloucester, Massachusetts, at which four (4) bidders appeared. At said auction, Plaintiff, through his counsel, bid the sum of Twenty Three Thousand Dollars (\$23,000.00), such bid being the highest and best bid received.

This Court, after a thorough review of the pleadings and other supporting documents, finds as follows:

1. This Court has jurisdiction pursuant to 28 U.S.C. §1333, and 46 U.S.C. §31325, et. seq.
2. The BARBARA ANN (O.N. 699442) was sold at public auction pursuant to an Order of this Court dated March 24, 2005. Elavno Galli bid the sum of \$23,000.00, such bid being the highest and best bid received.
3. Elavno Galli filed a Motion to Confirm Sale of the BARBARA ANN (O.N. 699442) on April 26, 2005.

I hereby certify that the foregoing document is a true and correct copy of the
☐ electronic filing in the captioned case
☐ electronic filing original filed on
☒ original filed in my office on 5-17-05
 Sarah A. Hooten
 Clerk, U.S. District Court
 District of Massachusetts
 By: Kimberly J. Hooten
 Deputy Clerk

4. The Court finds that Mr. Galli's bid of \$23,000.00 is fair, reasonable, and adequate.

In light of the above, this Court ORDERS AND DECREES that the sale of the F/V BARBARA ANN (O.N. 699442), her engines, machinery, equipment, masts, including but not limited to her federal and state fishing permits and history, and appurtenances, etc. to Elvano Galli's is CONFIRMED, and the United States Marshal is directed to execute and deliver a Bill of Sale to said Elavno Galli, free and clear of all liens and encumbrances, in form satisfactory for

recording with the National Vessel Documentation Center, *AS LONG AS MR GALLI PAYS TO MARSHAL ANY OUTSTANDING MONEY OWED TO THE MARSHAL AND ANY SUBSEQUENT CUSTODIAN*
DATED at Boston, Massachusetts, this 17th day of May, 2005.



Judge Tauro, United States District Court